

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JEREMIAH THEDE,
Plaintiff,

v.

UNITED AIRLINES, INC.,
Defendant.

Case No. 17-cv-03528-PJH

ORDER TO SHOW CAUSE

Plaintiff in the above-entitled matter filed a case management statement but failed to appear at the case management conference on November 16, 2017, in contravention of this court's order. THE COURT hereby issues an ORDER TO SHOW CAUSE why plaintiff's claims should not be dismissed for failure to prosecute, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

Further, despite filing his complaint nearly five months ago, plaintiff has yet to effectuate service on the defendant. Under Federal Rule of Civil Procedure 4(m), unless plaintiff shows good cause, a complaint is subject to dismissal if plaintiff has not effectuated service on defendant within 90 days after the complaint is filed. THE COURT hereby issues an ORDER TO SHOW CAUSE why plaintiff's claims should not be dismissed for failure to serve within 90 days, pursuant to Rule 4(m).

The court resets the initial case management conference for December 14, 2017, at 2:00 p.m. As before, plaintiff is ordered to appear in person or through counsel and should be prepared to respond to the above orders to show cause. If plaintiff fails to appear, the case shall be dismissed with prejudice for failure to prosecute, pursuant to

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Rule 41(b). If plaintiff appears but has still not effectuated service on the defendant, the case shall be dismissed without prejudice, pursuant to Rule 4(m).

IT IS SO ORDERED.

Dated: November 16, 2017



PHYLLIS J. HAMILTON
United States District Judge